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## MEMO ENDORSED

November 19, 2019

### VIA ECF

Honorable Edgardo Ramos, U.S.D.J.  
United States District Court, Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: Guercio v. Triborough Bridge and Tunnel Authority, et al.**  
**Docket No.: 18-CV-8838 (ER) (DCF)**  
**Request for Adjournment of Pre-Motion Conference**

Dear District Judge Ramos:

My name is Stephen Mc Quade, Esq. and I am an associate with the law firm of Certilman Balin Adler & Hyman, LLP, attorneys for James Guercio ("Plaintiff") in the above-referenced matter. Defendants are the Triborough Bridge and Tunnel Authority ("TBTA"), the Metropolitan Transportation Authority ("MTA"), Jose Pineda ("Pineda"), Todd Suratt ("Suratt"), and Christian Meyer ("Meyer") (collectively, "Defendants").

In conformance with Section 1(E) of Your Honor's Individuals Practices, I write to request a brief adjournment of the pre-motion conference currently scheduled for December 13, 2019 at 12:00 p.m. (*See* Dkt. 35).

On November 14, 2019, Defendants filed a letter-motion pursuant to Section 2(A)(i) of Your Honor's Individual Practices and Local Civil Rules 37.2 seeking a pre-motion conference regarding an anticipated motion to compel the production of outstanding discovery of Plaintiff in the instant matter. (*See* Dkt. 34). On November 15, 2019, as referenced above, Your Honor scheduled a pre-motion conference related thereto and directed Plaintiff to respond to Defendants' application on or before November 22, 2019. (*See* Dkt. 35).

However, I regret to inform the Court that both counsel for Defendants and I have previously-scheduled professional obligations on December 13, 2019 that would make our respective appearances at said conference untenable. Specifically on that date, I am scheduled for a status conference in the United States District Court, Eastern District of New York (Central Islip) before the Honorable Steven I. Locke, U.S.M.J., and counsel for Defendant is conducting a deposition in an unrelated matter.

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Pursuant to Section 1(E) Your Honor's Individual Practices, please be advised that this is the first request being made by either party in the instant matter seeking to adjourn the December 13, 2019 pre-motion conference, that the reason for said request is set forth above, that the instant request is being made more than 48 hours in advance of the scheduled appearance, and that counsel for Defendants consents to the instant request. Moreover, to the extent that the instant request affects any other scheduled dates herein, the only other obligation related to Defendants' November 14, 2019 application would be the November 22, 2019 deadline for Plaintiff's to submit a response to said application.

Finally, in the event that the Court graciously grants the instant request, counsel for Defendant and I would like to propose the following dates in order to aid the Court in rescheduling said pre-motion conference: December 10, 18, and 19, 2019.

The undersigned thanks the Court for the time and attention to the issues presented herein.


Respectfully submitted,

  
Stephen McQuade

SM/jmc

cc: Steven M. Silverberg, Esq. (via ECF)

The December 13, 2019 conference is  
adjourned to December 18, 2019 at 2:30 PM.

  
Edgardo Ramos, U.S.D.J  
Dated: November 21, 2019  
New York, New York

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